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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

| | | |
|---------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | 2:14-CR-00138-JAD-VCF |
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| CHARLES RAY BELL, JR., |) | |
| |) | |
| Defendant. |) | |
| |) | |

STIPULATION FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Russell E. Marsh, Esq., Wright Stanish & Winckler, counsel for Defendant CHARLES RAY BELL, JR., that the date for the Government to file a response to the Defendant's "Motion for Production of Additional Police Reports" (Docket #35) be extended for three (3) weeks.

This stipulation is entered for the following reasons:

1. On December 1, 2014, the Defendant, through prior counsel, filed a "Motion for Production of Additional Police Reports." See Docket #35. PACER set the Government's response deadline for December 18, 2014. The Defendant then subsequently was appointed new counsel.

1 2. The Defendant's new counsel recently received discovery and needs additional
2 time to go through the discovery and discuss it with the Defendant. The parties are also still in
3 discussions into a possible plea negotiation which would obviate the need for the Court to
4 consider the Defendant's Motion. Alternatively, the parties may be able to resolve the discovery
5 matter that is the subject of Defendant's Motion.

6 3. Government counsel is currently in trial in United States v. Purry, District Court
7 Case 2:14-cr-332-JAD-VCF, which commenced on March 9, 2015.

8 4. The Defendant is incarcerated, but he does not object to the brief continuance of
9 the Government's response deadline.

10 5. The additional time requested herein is not sought for purposes of delay, but
11 merely to allow counsel for the Defendant adequate time to discuss this case with the
12 Defendant's new counsel, along with possible defenses, as well as to potentially resolve the case
13 with a plea agreement.

14 6. Additionally, denial of this request for continuance could result in a miscarriage
15 of justice.

16 7. This is the third stipulation filed herein to continue the Government's response
17 deadline.

18 DATED: March 10, 2015.

19
20 /s/
21 PHILLIP N. SMITH, JR.
22 Assistant United States Attorney
23 Counsel for the United States

20 /s/
21 RUSSELL E. MARSH, ESQ.
22 Wright Stanish & Winckler
23 Counsel for Defendant CHARLES RAY BELL, JR.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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| Plaintiff, |) | |
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| v. |) | |
| |) | |
| CHARLES RAY BELL, JR. |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On December 1, 2014, the Defendant, through prior counsel, filed a “Motion for Production of Additional Police Reports.” See Docket #35. PACER set the Government’s response deadline for December 18, 2014. The Defendant then subsequently was appointed new counsel.

2. The Defendant’s new counsel recently received discovery and needs additional time to go through the discovery and discuss it with the Defendant. The parties are also still in discussions into a possible plea negotiation which would obviate the need for the Court to consider the Defendant’s Motion. Alternatively, the parties may be able to resolve the discovery matter that is the subject of Defendant’s Motion.

3. Government counsel is currently in trial in United States v. Purry, District Court Case 2:14-cr-332-JAD-VCF, which commenced on March 9, 2015.

1 4. The Defendant is incarcerated, but he does not object to the brief continuance of
2 the Government's response deadline.

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4 merely to allow counsel for the Defendant adequate time to discuss this case with the
5 Defendant's new counsel, along with possible defenses, as well as to potentially resolve the case
6 with a plea agreement.

7 6. Additionally, denial of this request for continuance could result in a miscarriage
8 of justice.

9 7. This is the third stipulation filed herein to continue the Government's response
10 deadline.

11 For all of the above-stated reasons, the ends of justice would best be served by a
12 continuance of the motion response deadline.

13
14 **CONCLUSIONS OF LAW**

15 The additional time requested herein is not sought for purposes of delay, but merely to
16 allow counsel for the Defendant adequate time to discuss this case with the Defendant, along
17 with possible defenses, as well as to potentially resolve the case with a plea agreement. The
18 failure to grant said continuance would likely result in a miscarriage of justice.

19
20 **ORDER**

21 IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the
22 Government to respond to the Defendant's "Motion for Production of Additional Police
23 Reports" (Docket #35) is extended until March 30, 2015. The Defendant's Reply, if any, is due
24 within seven (7) days after the filing of the Government's Response.

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28 UNITED STATES MAGISTRATE JUDGE